

Form 03 - DOOR WITH MILITARY

BRUCE LEVINSON ESQ.

ATTN:

U.S.SOUTHERN DIST. COURT

NEW YORK COUNTY

BLUE CREEK PRODUCE, LLC

plaintiff

- against -

BIG CITY PRODUCE, INC.

defendant

Index No. 07 CIV 7849

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

JEFFREY CAMPOLO being duly sworn, deposes and says: I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 3rd day of October, 2007 01:15 PM at

144 HUNTLEY DR, PVT HSE

ARDSLEY NY 10502

deponent attempted to make personal service of a true copy of the

SUMMONS AND COMPLAINT

JUDGES RULES

CIVIL COVER SHEET

in the above entitled action upon **MAURICIO RODRIGUEZ**

the **DEFENDANT** therein named. Deponent made prior diligent efforts to effect personal service upon the said **DEFENDANT**

at the above address, to wit: 09/28/2007 07:39 AM 10/02/2007 06:47 PM / /

Deponent spoke to "JANE" O'KEEFE, NEIGHBOR AT 145 HUNTLEY DR, ARDSLEY NY WHO REFUSED TRUE FIRST NAME who stated to deponent that said **DEFENDANT**

lived there, and had no knowledge of **DEFENDANT** place of employment or work habits.

That personal service could not be made with due diligence upon the said **DEFENDANT**

and therefore deponent on the 3rd day of October, 2007 at 01:15 PM at the above address, served a true copy of the aforementioned document(s) herein upon the said **DEFENDANT**

MAURICIO RODRIGUEZ

by affixing the same to the door of **DEFENDANT** said residence

since admittance could not be obtained upon reasonable application or a person of suitable age and discretion found who would receive same, true copy thereof.

On 10/05/2007 I deposited in the United States mail another true copy of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to the said **DEFENDANT** at the above address.

That address being last known residence, usual place of abode of the **DEFENDANT**.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns action against the person to be served. That at the time of service as aforesaid, I asked person spoken to whether the **DEFENDANT** was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the **DEFENDANT** is not in the military service, and is not dependent on anyone in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York, or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this
5th day of October, 2007tm

BRETT GOLUB
Notary Public, State of New York

No.01G06129491

Qualified in NASSAU

Commission Expires 06/27/2009

JEFFREY CAMPOLO

AETNA CENTRAL JUDICIAL SERVICES

225 BROADWAY, SUITE 1802

NEW YORK, NY, 10007

Reference No: 3BL164630